As a preliminary observation, it must be noted that each of the independent claims of the present application refers to at least one communication between terminal equipment and a data center, the terminal equipment and the data center being remote from each other. In view of the fact that the Examiner merely provided a general citation to the aforementioned lengthy passage in the Wright et al. reference, it is not clear which component or components in the Wright et al. reference the Examiner is considering as being comparable to a data center that is remote from terminal equipment. Since the only data exchange that is described in the passage of Wright et al. cited by the Examiner is a data exchange between a smart card and a postage meter having a card reader that receives the smart card, Applicant assumes the Examiner is considering the meter to be comparable to the terminal equipment of the independent claims of the application, and is considering the smart card to somehow be the equivalent of a data center remote from the terminal equipment. Applicant does not disagree that the postage meter described in the Wright et al. reference corresponds to the terminal equipment of the claims of the present application, however, the smart card (data carrier) in the Wright et al. reference clearly has no correspondence whatsoever with a data center remote from the terminal equipment. In order for the smart card and the postage meter in the Wright et al. system to communicate with each other, it is essential that the smart card *not* be remote from the terminal equipment, but be physically inserted in the terminal equipment. The fact that the smart card can be removed from the terminal equipment is irrelevant, because if and when the smart card is removed from the postage meter in the Wright et al. system, it is impossible for there to be any communication between the smart card and the postage meter. The explicit

language of each of the independent claims of the present application requires a communication between the terminal equipment and a remote data center located remote from the terminal equipment, meaning that the communication must occur when the data center and the terminal equipment are remote from each other.

Moreover, the Wright et al. reference itself includes language that clearly distinguishes the smart card (data carrier) disclosed therein from a source of data that is remote from the terminal equipment. As stated in the Wright et al. reference in the paragraph beginning at column 1, line 33, the Wright et al. reference distinguishes the type of equipment disclosed therein (characterized as "point-of-sale (POS) terminals" in column 1, line 17 of Wright et al.) from the type of system to which the present application is directed, namely involving terminal equipment and a data center remote therefrom. The Wright et al. system is directed to maintaining adequate security for such point-of-sale terminals, and characterizes maintaining such security as being problematic because point-of-sale system "conventionally are passive and do *not* authenticate themselves or the particular transactions for which they are used. *Instead*, on-line access through a terminal to a central account system, such as a bank or credit card account records, is required for confirmation of each transaction." (Emphasis added, Wright et al., column 1, lines 37-41).

The explicit language of the Wright et al. reference itself, therefore, states that the use of a card as a data carrier, as described in that reference, is *not* the same as a communication with a remote data source.

The fact that the Wright et al. reference provides no disclosure whatsoever involving a remote data center communicating with a terminal device is sufficient by

itself to preclude the Wright et al. reference from anticipating any of the claims of the present application.

Equally as importantly, the Wright et al. reference, particularly the passage cited by the Examiner, merely refers to a "handshake" procedure by which verification of authentification of the inserted card is accomplished. This type of security verification has nothing to do with the type of data verification to which the subject matter of the present application is directed, i.e, to ensure that data have been correctly transferred (downloaded) from the remote data center to the terminal equipment. It is for this reason that in each of the independent claims of the present application, the return or answerback message that proceeds from the terminal equipment to the data center is formed by involving the originally transmitted message itself. Independent claims 1 and 17 state that the answerback message "refers to" the originally transmitted message and claims 12 and 28 more specifically state that a coded message is formed as the answerback message that is based on the originally transmitted message.

The handshake procedure disclosed in the Wright et al. reference, because it is simply to verify the authenticity or the authorization of the card that is currently inserted in the postage meter, does not involve a transfer of data whereby the correctness of the transfer data needs to be verified. Even though in the Wright et al. reference a serial number is transmitted from the card to the device, and a verification is made based on that serial number and a verification message is then transmitted back to the card to then enable a subsequent further exchange between the card and the postage meter, the message that is transmitted back to the card from the postage meter is simply a "yes" or "no" statement verifying or denying

authorization. The message that is transmitted back to the card from the postage meter does not in any way refer to the originally transmitted serial number itself, nor does it include any coded information that has been based on or derived from the originally transmitted serial number.

Moreover, independent claims 1 and 17 require that the verification take place in separate first and second communications. The Examiner did not identify what steps of functions in the cited passage of Wright et al. the Examiner considers as corresponding to these first and second communications. In independent claims 1 and 17, each of the first and second communications includes a transmission in both directions between the data center and the terminal equipment. The aforementioned handshake procedure in the Wright et al. is a single communication between the card and the postage meter. There is no second communication involved in the handshake procedure in the Wright et al. reference. Although a further data exchange between the card and the postage meter can occur in the Wright et al. system, after verification has been accomplished, this further exchange is not in any way involved in the handshake procedure, and in fact cannot even proceed until the handshake procedure has been completed so that verification has been established.

In summary, the passage in the Wright et al. reference relied upon by the Examiner as a basis for rejecting each of the independent claims of the present application provides no disclosure that bears any resemblance whatsoever to the subject matter of the independent claims. If the Examiner determines to maintain the present rejection, the Examiner is respectfully requested to be more specific in identifying the specific (smaller) passages in the Wright et al. reference that the Examiner believes discloses each of the method steps of the independent method

claims and each of the components of the independent apparatus claims of the present application.

The Applicant should not have to guess how the Examiner is applying the prior art against those claims.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

Submitted by,

Steven H. Noll (Reg. 28,982)
SCHIFF, HARDIN & WAITE
CUSTOMER NO. 26574
Patent Department
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
Telephone: 312/258-5790
Attorneys for Applicant.

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